



Sen. Adriane Johnson

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10200SB3467sam001

LRB102 24343 LNS 35089 a

1 AMENDMENT TO SENATE BILL 3467

2 AMENDMENT NO. _____. Amend Senate Bill 3467 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Park
5 District and Public Utility Liability Act.

6 Section 5. Definitions. As used in this Act:

7 "Lessee" means any park district engaged in a contractual
8 lease for property use.

9 "Lessor" means any public utility leasing property
10 ownership, control, or access.

11 "Park district" means a park district as defined in the
12 Park District Code, a forest preserve district, a conservation
13 district, or another local public entity that has recreation
14 departments or facilities and has a lease with a lessor.

15 "Public utility" has the same meaning as used in the
16 Public Utilities Act.

1 Section 10. Liability.

2 (a) Provisions in, or in connection with, a land lease
3 agreement between an electric public utility and a park
4 district that require a lessee to indemnify or hold harmless
5 the lessor, or the lessor's independent contractors, agents,
6 employees, or indemnitees, including, but not limited to,
7 waivers of subrogation, against liability for damages arising
8 out of bodily injury to persons or damage to property
9 proximately caused by or resulting from negligence, in whole
10 or in part, of the lessor, or its independent contractors,
11 agents, employees, or indemnitees, are against public policy,
12 void, and unenforceable.

13 (b) Nothing in this Act shall prevent or prohibit a
14 contract, promise, or agreement for a lessor to indemnify or
15 hold harmless any lessee against liability for damages
16 resulting from the sole negligence of the lessor, its agents,
17 or its employees.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.".